

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JOHNNY L. ROSS,

Plaintiff

v.

CIVIL ACTION NO. 4:04cv270-D-B

DAIMLER-CHRYSLER CORPORATION,

Defendant

ORDER

UPON FURTHER REVIEW of the file and record of this action, the Court finds defendant's motion for sanctions for plaintiff's failure to appear at his duly noticed deposition was granted by Order dated April 21, 2005. On April 27, 2005, counsel for defendant, William C. Hammack, filed his affidavit of fees and expenses incurred for his attendance at said deposition. No objection has been filed by plaintiff.

Counsel's affidavit includes a total of \$2,457.41 for fees and expenses incurred in scheduling and appearing for plaintiff's deposition. After due consideration, the Court finds this amount is reasonable. Therefore, it is

ORDERED:

That plaintiff shall pay to above named counsel for Defendant the amount of \$2,457.41, for the benefit of Defendant, on or before June 30, 2005, or risk dismissal of this lawsuit for failure to prosecute and for failure to obey a Court order.

SO ORDERED this 19th day of May, 2005.

/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE